



Land Use and Zoning Meeting Minutes

November 20, 2014

STAFF:	David Radachy
DATE:	November 21, 2014

The Land Use and Zoning Committee hereby finds and determines that all formal actions were taken in an open meeting and that all deliberations of the Land Use and Zoning Committee, which resulted in formal action, were taken in a meeting open to the general public, in full compliance with applicable legal requirements of Section 121.22 of the Ohio Revised Code.

The meeting was called to order at 6:30 p.m.

Attendance was taken by sign-in sheet. The following members were present: Messrs. Constantine, Falcone, Kenyon, Klco, Terriaco and Welch and Ms. Diak. Staff: David Radachy.

Mr. Radachy stated that there are three cases this evening. One from Madison Township and two from Concord Township.

Concord Township – Text Amendments: Section 22, Creation of Capital Extension District (CE) and Amendment to sections V, VI, XI, XIII, XVI, XXIX, XXX, XXXIV, XXXVI, XXXVII, and XXXVIII

Staff stated that Concord Township was creating a new district, Capital Extension or CE. As part of the change, they were adding a purpose statement, adding proposed permitted and conditional uses, adding lot standards, adding requirements that will address parking, landscaping, lighting, loading spaces, building design, waste storage and access management. It is also creating the Innovative Site/PD as a permitted use. The IS/PD allows for a limited amount of residential in the form of townhouses and live/work units. The only new use being added is Microbrewery. Staff passed out an image of the area under review for the Capital Parkway Extension and the Auburn-Crile Connector. This was part of a power point presentation from the Lake County Engineer's website.

Staff stated ORC 519 allows the Township to regulate the location, height, bulk, number of stories, and size of buildings and other structures, and the uses of land for trade, industry, residence, recreation, or other purposes in the unincorporated territory of the Township. Staff also stated that ORC 5552.02 allows the Township Trustees, for the purposes of promoting traffic safety and efficiency and maintaining proper traffic capacity and traffic flow, may adopt, by resolution, regulations for the management of access onto township roads in the unincorporated area of the township. This is a separate resolution from the Township Zoning Resolution. Townships are only allowed to regulated access on Township Roads.

Staff stated that they were concerned about increasing the building height from 40 feet to 60 feet. There are regulations that you can add that would insure that the buildings are safe. Staff stated that he wrote a regulation for Fairport Harbor Village that tied increased building height to additional fire safety measures. The committee discussed if Concord Township Fire Department could handle a fire in building higher than 40 feet. The answer was no, they would get mutual

aid from Painesville City and their ladder truck. That could be 20 minutes or longer. There was a statement made by the committee that this could affect Concord Township's ISO rating.

It was also noted that there is only one material specified for sidewalk construction in Section J-3, Concrete. Staff stated that sidewalks could be constructed out of many different types of materials. These include, but limited to asphalt, brick, stone, etc. Some of the materials are also more pervious than concrete.

The other sections that are being proposed to be amended are being amended because of the creation of the CE. New definitions have to be added to Section V. Section XIII has to be amended because of the new conditional use of microbrewery and several existing conditional uses have to be amended to show that they are allowed in their districts. The other sections are being amended to reflect the new district.

The Committee commented on how professional the submission was and how professional the review was done. They asked if Concord Township could come up with a better name. They were also questions on who counts the number of gallons in a microbrewery.

Staff stated that microbreweries are regulated by the State. He also stated that the microbrewery could be done in conjunction with a restaurant or tavern. At that point, staff review the submission. After review, staff stated that proposed text has microbrewery definition that defines it as an accessory use ("in conjunction with") and the proposed text was proposing it as Conditional Permitted Use. The Township may want to consider moving it to accessory uses. Staff would recommend that.

Staff recommends approval with the following suggestions:

1. Make government facilities and police and fire services permitted uses in Section 22.
2. Revise Section 22.10 G 1 to state that maximum building height is 40 feet as per Section 22.04 H. The property owners may exceed 40 feet if they provide fire safety measures, such as sprinklers, fire doors, etc. that would protect the building. These measures will be required to be approved by the Fire Department. The building may not exceed 60 feet.
3. Revise Section 22.10 J 5 to read: Sidewalks shall be constructed of a hard surface such as concrete, asphalt, brick, stone, a combination thereof or other materials approved by the Township.
4. Please review to see if it would be appropriate to have regulations for sidewalks located in easements outside of the right-of-way in Section 22.
5. Review Section 22.10 M, Access Management to determine if it is in compliance with ORC 5552, Access Management. Section 22.10 M 4 could be incorporated into parking regulations.
6. An approval process for Section 22.11 should be created.
7. Make microbreweries a conditional accessory use like outdoor dining or outdoor storage in Table 22.03.

8. 107. Innovative Site/PD: A planned development authorized by ORC 519.021 C, located within the Capital Extension District as provided in this Resolution.
9. Add Outdoor Recreation and Government Facilities (if it is to remain a conditional use) to Section XIII and create conditions for the uses.

The Land Use and Zoning Committee made a decision to take the two reports for the Concord amendments and only make one recommendation.

Mr. Kenyon made a motion to accept staff's recommendation
Mr. Terriaco seconded the motion.

All voted "Aye".
Motion passed.

Madison Township – District Amendment: R-2 to B-2

Staff stated that the property is currently being used as a party center and residential in the rear. The property currently has split zoning, B-2 in the front and R-2 in the rear. The Comprehensive Plan recommends that the land all be B-2. There is currently a light at DeRuberis Drive and North Ridge Road. This land would be better as all B-2. Staff recommends that the district change be made.

Mr. Klco made the motion to recommend the district change be made.
Mr. Welch seconded the motion.

All voted "Aye".
Motion passed.

There was no other business.

There was no public comment.

The meeting adjourned at 6:55 PM.